HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated Nainital the 22nd December, 2006
First Bail Application No. 820 of 2006

Order on the bail application of the accused.

CRIMINAL SIDE

Sheeshpal Chauhan,
S/o late Sundar Singh Chauhan,
R/o O-115, Basant Vihar, Kanwali Road,
Dehradun, District-Dehradun.
.....Applicant (In Jail)

Vs.

State of Uttaranchal ..... Opposite Party

In Case Crime No. 110 of 2006
U/s 363, 366, 376 I.P.C.
P.S. Patel Nagar,
District-Dehradun.

Hon'ble Rajesh Tandon, J.

The applicant-Sheeshpal has applied for bail in connection with the Case Crime No. 110 of 2006 of 2006 U/s 363, 366, 376 I.P.C. P.S. Patel Nagar, District – Dehradun.

Heard Sri Ramji Srivastava, counsel for the applicant and A.G.A. for the State.

Perused the F.I.R. The F.I.R. shows that initially it was lodged under Section 363 and 366 of I.P.C. Subsequently, it appeasr that during investigation, the applicant has also been charge-sheeted under Section 376 of the Indian Penal Code.

Counsel for the applicant has argued that prosecutrix is 18 years of age and there is no injury showing the ingredients of Section 376 of the Indian Penal Code. Counter affidavit filed by the State also supports the argument.

Considering the facts and circumstances of the case, it is a fit case for bail. Let the applicant be released on bail on

executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 22.12.2006
-Rathour